

By Senator Burgess

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1 A bill to be entitled
2 An act relating to the Tampa-Hillsborough County
3 Expressway Authority; amending s. 348.50, F.S.;
4 renaming the Tampa-Hillsborough County Expressway
5 Authority as the "West Florida Expressway Authority";
6 amending s. 348.51, F.S.; revising and defining terms;
7 amending s. 348.52, F.S.; providing for the transfer
8 of governance and control, property and legal rights,
9 powers, responsibilities, and obligations from the
10 Tampa-Hillsborough County Expressway Authority to the
11 West Florida Expressway Authority; providing terms and
12 conditions of the transfer; revising the composition
13 of the governing body of the authority; revising
14 requirements for membership, terms, and meetings;
15 defining the term "communications media technology";
16 providing for expansion of the authority's
17 jurisdictional boundaries; amending s. 348.53, F.S.;
18 revising the purposes of the authority; authorizing
19 the authority to construct certain facilities within
20 the expressway system; amending s. 348.54, F.S.;
21 limiting the use of certain toll revenues; providing
22 exceptions; deleting provisions relating to interest
23 on gasoline tax funds repaid to Hillsborough County;
24 revising powers of the authority; amending s. 348.565,
25 F.S.; revising projects approved for financing or
26 refinancing through revenue bonds; amending s. 348.60,
27 F.S.; revising provisions relating to the pledge of
28 surplus gasoline tax funds under a lease-purchase
29 agreement; amending s. 348.61, F.S.; updating

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30 terminology; amending s. 348.62, F.S.; specifying
31 lands and property the authority may acquire;
32 repealing ss. 348.68 and 348.681, F.S., relating to
33 consultation with the Hillsborough County City-County
34 Planning Commission and design standards,
35 respectively; renumbering and amending s. 348.70,
36 F.S.; conforming provisions to changes made by the
37 act; amending ss. 343.975, 348.545, 348.56, 348.57,
38 348.58, 348.59, 348.63, 348.64, 348.65, and 348.67,
39 F.S.; conforming provisions to changes made by the
40 act; providing a directive to the Division of Law
41 Revision; providing an effective date.

42
43 Be It Enacted by the Legislature of the State of Florida:

44
45 Section 1. Section 348.50, Florida Statutes, is amended to
46 read:

47 348.50 Title of law.—This part shall be known and may be
48 cited as the "West Florida ~~Tampa-Hillsborough County~~ Expressway
49 Authority Law."

50 Section 2. Section 348.51, Florida Statutes, is amended to
51 read:

52 348.51 Definitions.—As ~~The following terms whenever used or~~
53 ~~referred to~~ in this part shall have the following meanings,
54 unless ~~except in those instances where~~ the context clearly
55 indicates otherwise, the term:

56 (1) "Agency of the state" means ~~and includes~~ the state and
57 any department of, or corporation, agency, or instrumentality
58 ~~heretofore or hereafter~~ created, designated, or established by,

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59 the state.

60 (2) "Authority" means the body politic, corporate, and
61 agency of the state created by this part.

62 (3) "Bonds" means ~~and includes~~ the notes, bonds, refunding
63 bonds, or other evidences of indebtedness or obligations, in
64 either temporary or definitive form, which the authority is
65 authorized to issue pursuant to this part.

66 ~~(4) "City" means the City of Tampa.~~

67 ~~(4)~~(5) "County" means each county located within the
68 jurisdictional limits of the authority, including the County of
69 Hillsborough County and any expansion county, as applicable.

70 (5) "County gasoline tax funds" means all the 80-percent
71 surplus gasoline tax funds or 20-percent surplus gasoline tax
72 funds accruing in each year to the Department of Transportation
73 or a county, as the case may be, for use in a county under s. 9,
74 Art. XII of the State Constitution, after deduction, if and only
75 to the extent necessary, of any amounts of such gasoline tax
76 funds pledged by the Department of Transportation or a county
77 for outstanding obligations.

78 (6) "Department" means the Department of Transportation ~~of~~
79 ~~Florida~~ and any successor thereto.

80 (7) "Expansion county" means a county in which the
81 authority constructs or acquires a transportation facility,
82 which may include Citrus, Hernando, Manatee, Pasco, Pinellas,
83 and Polk Counties.

84 (8) "Expansion event" means the adoption of a resolution or
85 other formal action by the governing board of the authority for
86 the authority to construct, complete, or acquire a
87 transportation facility located in an expansion county and to

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88 include the expansion county within its jurisdictional limits.

89 (9)~~(7)~~ "Expressway system" or "system" means, generally, a
90 modern highway system of roads, bridges, causeways, and tunnels
91 ~~in the metropolitan area of the city, or within any area of the~~
92 ~~county,~~ with ~~access~~ limited or unlimited access as the authority
93 may determine, and such buildings, and structures, and
94 appurtenances, and facilities related thereto, including all
95 approaches, streets, roads, bridges, and avenues of access for
96 such system. A transportation facility shall become part of the
97 expressway system of the authority upon the governing board of
98 the authority's designation of such transportation facility as
99 part of its expressway system.

100 (10)~~(8)~~ "Federal agency" means ~~and includes~~ the United
101 States, the President of the United States, and any department
102 of, or bureau, corporation, agency, or instrumentality
103 ~~heretofore or hereafter~~ created, designated, or established by,
104 the United States.

105 ~~(9)~~ ~~"Hillsborough County gasoline tax funds" means all the~~
106 ~~80-percent surplus gasoline tax funds or 20-percent surplus~~
107 ~~gasoline tax funds accruing in each year to the Department of~~
108 ~~Transportation or the county, as the case may be, for use in~~
109 ~~Hillsborough County under the provisions of s. 9, Art. XII of~~
110 ~~the State Constitution, after deduction, if and only to the~~
111 ~~extent necessary, of any amounts of said gasoline tax funds~~
112 ~~heretofore pledged by the Department of Transportation or the~~
113 ~~county for outstanding obligations.~~

114 (11)~~(10)~~ "Lease-purchase agreement" ~~or "lease-purchase~~
115 ~~agreements"~~ means a the lease-purchase agreement ~~or agreements~~
116 ~~which~~ the authority may execute ~~is authorized~~ pursuant to this

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117 part ~~to execute~~.

118 (12)~~(11)~~ "Members" means the governing body of the
119 authority, and the term "member" means one of the individuals
120 constituting such governing body.

121 (13)~~(12)~~ "Revenues" means all tolls, revenues, rates, fees,
122 charges, receipts, rentals, contributions, including, but not
123 limited to, contributions of revenues from a county,
124 municipality, or other local governmental entity, and other
125 income derived from or in connection with the operation or
126 ownership of the expressway system, including the proceeds of
127 any use and occupancy insurance on any portion of the system ~~but~~
128 ~~excluding any Hillsborough County gasoline tax funds.~~

129 (14) "Transportation facility" means the mobile and fixed
130 assets, and the associated real or personal property or rights,
131 used in the transportation of persons or property by any means
132 of conveyance which the authority may acquire, construct, and
133 equip pursuant to this part, and all appurtenances, including,
134 but not limited to, highways; limited or controlled access
135 lanes, avenues of access, and facilities; and administrative and
136 other office space, for the exercise by the authority of the
137 powers and obligations granted in this part.

138 (15)~~(13)~~ Words importing singular number include the plural
139 number in each case and vice versa, and words importing persons
140 include firms and corporations.

141 Section 3. Section 348.52, Florida Statutes, is amended to
142 read:

143 348.52 West Florida ~~Tampa Hillsborough County~~ Expressway
144 Authority.—

145 (1) There is ~~hereby~~ created and established a body politic

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146 and corporate, an agency of the state, to be known as the "West
147 Florida Tampa-Hillsborough County Expressway Authority."

148 (2) (a) Immediately on July 1, 2021, the West Florida
149 Expressway Authority shall assume the governance and control of
150 the expressway system operated by the former Tampa-Hillsborough
151 County Expressway Authority, including its assets, personnel,
152 contracts, obligations, liabilities, facilities, and tangible
153 and intangible property. Any rights in such property and other
154 legal rights of the former Tampa-Hillsborough County Expressway
155 Authority are transferred to the West Florida Expressway
156 Authority. The West Florida Expressway Authority shall
157 immediately succeed to and assume the powers, responsibilities,
158 and obligations of the former Tampa-Hillsborough County
159 Expressway Authority.

160 (b) The transfer pursuant to this subsection is subject to
161 the terms and covenants provided for the protection of the
162 holders of the former Tampa-Hillsborough County Expressway
163 Authority bonds in the lease-purchase agreement and the
164 resolutions adopted in connection with the issuance of the bonds
165 and any and all bonds issued pursuant to a resolution or trust
166 indenture subsequent to the lease-purchase agreement. Further,
167 the transfer does not impair the terms of the contract between
168 the West Florida Expressway Authority and the bondholders, does
169 not act to the detriment of the bondholders, and does not
170 diminish the security for the bonds. After the transfer, the
171 West Florida Expressway Authority shall operate and maintain the
172 expressway system and any other facilities of the West Florida
173 Expressway Authority in accordance with the terms, conditions,
174 and covenants contained in the bond resolutions securing the

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175 bonds of the authority. The West Florida Expressway Authority
176 shall collect toll revenues and apply them to the payment of
177 debt service as provided in the bond resolution securing all
178 bonds and shall expressly assume all obligations relating to all
179 bonds to ensure that the transfer has no adverse impact on the
180 security for all bonds. The transfer does not make the
181 obligation to pay the principal and interest on the bonds a
182 general liability of the West Florida Expressway Authority or
183 pledge additional expressway system revenues to payment of the
184 bonds. Expressway system revenues that are generated by the
185 expressway system and other facilities of the West Florida
186 Expressway Authority which were pledged by the former Tampa-
187 Hillsborough County Expressway Authority to payment of the bonds
188 will remain subject to the pledge for the benefit of the
189 bondholders.

190 (3)~~(2)~~ The governing body of the authority shall initially
191 consist of a board of seven members but shall be subject to
192 increase to no more than 13 members through the addition of a
193 new member for each expansion county upon the expansion of the
194 authority's jurisdiction to include such expansion county in
195 accordance with subsection (6).

196 (a) Four of the members shall be appointed by the Governor,
197 one of whom must be a resident of Hillsborough County, and the
198 remainder of whom may be residents of Hillsborough County or any
199 expansion county upon the expansion of the authority's
200 jurisdiction to include such expansion county, subject to
201 confirmation by the Senate at the next regular session of the
202 Legislature. Refusal or failure of the Senate to confirm an
203 appointment shall create a vacancy. A board member currently

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204 serving an unexpired term on the former Tampa-Hillsborough
205 County Expressway Authority as of the effective date of this act
206 shall continue to serve the remainder of his or her unexpired
207 term. Each member of the governing board, including each member
208 representing an expansion county, shall be subject to the
209 following:

210 1. Each ~~such~~ member's term of office shall be for 4 years
211 or until his or her successor is ~~shall have been~~ appointed and
212 qualified. However, the respective initial term of one or more
213 members representing an expansion county may be for 2 years at
214 the sole discretion of the governing board in order to achieve
215 staggered terms of office for its governing board members.

216 2. A vacancy ~~Vacancies~~ occurring in the governing board
217 ~~body~~ for any member before ~~such members prior to~~ the expiration
218 of the affected term shall be filled for the unexpired term.

219 3. The Governor may ~~shall have the authority to~~ remove from
220 office any ~~such~~ member of the governing board ~~body~~ in the manner
221 and for cause defined by the laws of this state.

222 4. Each ~~such~~ member, before entering upon his or her
223 official duties, shall take and subscribe to an oath before an
224 ~~some~~ official authorized by law to administer oaths that he or
225 she will honestly, faithfully, and impartially perform the
226 duties devolving upon him or her in office as a member of the
227 governing board ~~body~~ of the authority and that he or she will
228 not neglect any duties imposed upon him or her by this part.

229 (b) One member shall be the mayor, or the mayor's designee
230 ~~designate~~, who shall be the chair of the city council of the
231 city in Hillsborough County having the largest population,
232 according to the latest decennial census, who shall serve as a

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233 member ex officio.

234 (c) One member shall be a member of the Board of County
235 Commissioners of Hillsborough County, selected by such board,
236 who shall serve as a member ex officio.

237 (d) One member shall be the district secretary of the
238 department ~~of Transportation~~ serving in the district that
239 contains Hillsborough County, who shall serve as a member ex
240 officio.

241 (e) After the occurrence of an expansion event in a
242 particular expansion county, the governing board shall be
243 increased by one additional ex officio voting member for each
244 such expansion county, which member must be a member of the
245 board of county commissioners of such expansion county, selected
246 by such board of county commissioners. Such increase in board
247 membership shall become effective on the date that such
248 expansion county member takes the oath required under
249 subparagraph (a)4.

250 (4)~~(3)~~ The authority shall designate one of its members as
251 chair. The members of the authority are ~~shall not be~~ entitled to
252 compensation but are ~~shall be~~ entitled to receive their travel
253 and other necessary expenses as provided in s. 112.061. A
254 majority of the members of the authority shall constitute a
255 quorum, and resolutions enacted or adopted by a vote of a
256 majority of the members present and voting at any meeting shall
257 become effective without publication or posting or any further
258 action of the authority.

259 (5) Authority meetings and workshops may be conducted using
260 communications media technology. The notice for any such public
261 meeting or workshop shall state that the meeting or workshop

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262 will be conducted through the use of communications media
263 technology, specify how persons interested in attending may do
264 so, and provide a location where communications media technology
265 facilities are available. The participation by a member in an
266 authority meeting or workshop conducted using communications
267 media technology constitutes that member's presence at such
268 meeting or workshop and shall count toward a quorum. For
269 purposes of this subsection, the term "communications media
270 technology" means conference telephone, video conference, or
271 other communications technology by which all persons attending a
272 public meeting or workshop may audibly communicate.

273 (6) The authority's jurisdictional boundaries shall be
274 automatically expanded to include any one or more expansion
275 counties upon the occurrence of an expansion. However, an
276 expansion event must occur on or before:

277 (a) The date that the authority makes a final written
278 determination to undertake a transportation facility located in
279 the jurisdictional limits of an expansion county by adding
280 elements of the study, design, engineering, acquisition,
281 construction, or equipping of such transportation facility to
282 its work plan; or

283 (b) The effective date that the authority becomes the owner
284 of a transportation facility located in the jurisdictional
285 limits of an expansion county.

286
287 A delay in the designation of an expansion county board member
288 shall not affect the expansion of the authority's jurisdiction
289 under this part.

290 (7)-(4) The authority may employ a secretary and executive

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291 director, its own counsel and legal staff, and such legal,
292 financial, and other professional consultants, technical
293 experts, engineers, and employees, permanent or temporary, as it
294 may require and may determine the qualifications and fix the
295 compensation of such persons, firms, or corporations. The
296 authority may contract with the Division of Bond Finance of the
297 State Board of Administration for any financial services
298 authorized herein.

299 (8)~~(5)~~ The authority may delegate to one or more of its
300 officers or employees such of its powers as it deems ~~shall deem~~
301 necessary to carry out the purposes of this part, subject always
302 to the supervision and control of the authority. A member
303 ~~Members~~ of the governing board ~~authority~~ may be removed from
304 ~~their~~ office by the Governor for misconduct, malfeasance,
305 misfeasance, or ~~and~~ nonfeasance in office.

306 Section 4. Section 348.53, Florida Statutes, is amended to
307 read:

308 348.53 Purposes of the authority.—

309 (1) The purposes of the authority are, and the authority
310 has the ~~is created for the purposes and shall have power,~~ to
311 construct, reconstruct, improve, extend, repair, maintain, and
312 operate the expressway system. It is ~~hereby~~ found and declared
313 that such purposes are in all respects for the benefit of the
314 people of the State of Florida, ~~the City of Tampa,~~ and the West
315 Florida region ~~County of Hillsborough~~ for the increase of their
316 pleasure, convenience, and welfare; for the improvement of their
317 health; and to facilitate transportation, including managed
318 lanes and other transit supporting facilities, for their
319 recreation and commerce and for the common defense. The

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320 authority is performing a public purpose and a governmental
321 function in carrying out its corporate purpose and in exercising
322 the powers granted in this section ~~herein~~.

323 (2) In the construction of the expressway system, the
324 authority may construct any extensions, additions, or
325 improvements to the system or appurtenant facilities, including
326 all necessary approaches, roads, bridges, avenues of access, and
327 boulevards, with any changes, modifications, or revisions of any
328 project which are deemed desirable and proper.

329 Section 5. Section 348.54, Florida Statutes, is amended to
330 read:

331 348.54 Powers of the authority.—Except as otherwise limited
332 herein, the authority shall have the power:

333 (1) To sue and be sued, implead and be impleaded, and
334 complain and defend in all courts.

335 (2) To adopt, use, and alter at will, ~~a~~ seal.

336 (3) To acquire, purchase, hold, lease as lessee, and use
337 any franchise, property, real, personal or mixed, tangible or
338 intangible, or any interest therein, necessary or desirable for
339 carrying out the purposes of the authority, and to sell, lease
340 as lessor, transfer, and dispose of any property or interest
341 therein at any time acquired by it.

342 (4) To construct, reconstruct, or improve on or along the
343 expressway system suitable facilities for gas stations,
344 restaurants, and other facilities for the public. ~~Such~~
345 facilities may be publicly offered for leasing for operation
346 under rules and regulations to be established by the authority.

347 (5) To enter into and make lease-purchase agreements as
348 provided in s. 348.60 for terms not exceeding 40 years, or until

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349 all bonds secured by a pledge thereunder, and all refundings
350 thereof, are fully paid as to both principal and interest,
351 whichever is longer.

352 (6) To fix, alter, charge, establish, and collect tolls,
353 rates, fees, rentals, and other charges for the services and
354 facilities of the expressway system, which tolls, rates, fees,
355 rentals, and other charges shall always be sufficient to comply
356 with any covenants made with the holders of any bonds. ~~+~~
357 ~~provided,~~ However, ~~that~~ such right and power, or any part
358 thereof, may be assigned or delegated, by the authority, to the
359 lessee under a lease-purchase agreement. Toll revenues
360 attributable to a toll rate increase for the use of a portion of
361 the expressway system that become effective on or after the date
362 that the jurisdiction of the authority is first expanded to
363 include any one or more expansion counties may not be used to
364 construct or expand a different portion of the system unless a
365 two-thirds majority of the members of the authority governing
366 board, determined as of the time of such vote, votes to approve
367 such use. This requirement does not apply if and to the extent
368 that application of the requirement would:

369 (a) Violate any covenant established in a resolution or
370 trust indenture under which bonds were issued by the authority
371 on or before the first date that the authority's jurisdiction is
372 expanded to include one or more expansion counties; or

373 (b) Cause the authority to be unable to meet its
374 obligations under the terms of the October 2012 memorandum of
375 agreement between the authority and the department.

376 (7) To borrow money and to make and issue negotiable bonds,
377 notes, refunding bonds, and other evidences of indebtedness or

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378 obligations, either in temporary or definitive form, referred to
379 ~~hereinafter~~ in this chapter ~~referred to~~ as "bonds of the
380 authority," for the purpose of financing all or part of the
381 improvement or extension of the expressway system and
382 appurtenant facilities, including all approaches, streets,
383 roads, bridges, and avenues of access for the ~~expressway~~ system,
384 and for any other purpose authorized by this part, and to
385 provide for the rights of the holders thereof.

386 (8) To secure the payment of bonds by a pledge of all or
387 any portion of the expressway system revenues or such other
388 moneys legally available therefor and of all or any portion of a
389 county's ~~the Hillsborough County~~ gasoline tax funds in the
390 manner provided by this part; and in general to provide for the
391 security of the bonds and the rights and remedies of the holders
392 thereof. ~~Interest upon the amount of gasoline tax funds to be~~
393 ~~repaid to the county pursuant to s. 348.60 shall be payable, at~~
394 ~~the highest rate applicable to any outstanding bonds of the~~
395 ~~authority, out of revenues and other available moneys not~~
396 ~~required to meet the authority's obligations to its bondholders.~~
397 The authority may not, ~~shall have no power~~ at any time or in any
398 manner, ~~to~~ pledge the credit or taxing power of the state or any
399 political subdivision or agency thereof, including a ~~the~~ city
400 and a ~~the~~ county, nor shall any of the authority's obligations
401 be deemed to be obligations of the state or of any political
402 subdivision or agency thereof, nor shall the state or any
403 political subdivision or agency thereof, except the authority,
404 be liable for the payment of the principal of or interest on
405 such obligations.

406 (9) To make contracts of every name and nature and to

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407 execute all instruments necessary or convenient for the carrying
408 on of its business.

409 (10) Without limitation of the foregoing, to borrow money
410 and accept gifts or grants from, and to enter into contracts,
411 leases, or other transactions with, any federal agency, the
412 state, any agency of the state, a the county, a the city, or
413 ~~with~~ any other public body of the state or any other person and
414 to comply with the terms and conditions thereof.

415 (11) ~~To have the power~~ Of eminent domain.

416 (12) To construct and maintain over, under, along, or
417 across the expressway system, telephone, telegraph, television,
418 electric power, and other wires or cables, pipelines, water
419 mains, and other conduits and mechanical equipment, ~~not~~
420 inconsistent with the appropriate use of the system, or to
421 contract for such construction, and, upon such terms and
422 conditions as the authority determines ~~shall determine~~, to lease
423 all or any part of such property and facilities or the right to
424 use such property and facilities ~~the same~~ whether such
425 facilities are constructed by the authority or under a contract
426 for such construction, ~~for a period of not more than 20 years~~
427 ~~from the date when such lease is made.~~

428 (13) To do all acts and things necessary or convenient for
429 the conduct of its business and the general welfare of the
430 authority, ~~in order to carry out the powers granted to it by~~
431 this part or any other law.

432 (14) To enter into partnerships, contracts, and agreements,
433 including, but not limited to, interlocal agreements, with any
434 federal, state, or local governmental entity with respect to the
435 purposes of this part.

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437 Before entering into any sale, lease, transfer, or disposition
438 of its real properties under subsection (3), leasing any of its
439 facilities under subsection (4), or taking final action under
440 subsection (7), the authority shall give notice thereof by
441 publication on at least 5 separate days in a newspaper of
442 general circulation in the affected county. Such notice shall
443 state the place and time, not less than 14 days after the first
444 such publication, when objections may be filed with and heard by
445 the authority.

446 ~~(14) Prior to entering into any sale, lease, transfer or~~
447 ~~disposition of its real properties pursuant to subsection (3),~~
448 ~~leasing any of its facilities pursuant to subsection (4), or~~
449 ~~taking final action under subsection (7), the authority shall~~
450 ~~give notice thereof by publication on at least 5 separate days,~~
451 ~~in a newspaper of general circulation in the county. Such notice~~
452 ~~shall state the place and time, not less than 14 days following~~
453 ~~the first such publication, when objections may be filed with~~
454 ~~and heard by the authority.~~

455 ~~(15) With the consent of the county within whose~~
456 ~~jurisdiction the activities occur, to construct, operate, and~~
457 ~~maintain roads, bridges, avenues of access, thoroughfares, and~~
458 ~~boulevards and managed lanes and other transit supporting~~
459 ~~facilities outside of the jurisdictional boundaries of~~
460 ~~Hillsborough County and within the jurisdictional boundaries of~~
461 ~~counties contiguous to Hillsborough County, together with the~~
462 ~~right to construct, repair, replace, operate, install, and~~
463 ~~maintain such facilities and electronic toll payment systems~~
464 ~~thereon or incidental thereto, with all necessary and incidental~~

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465 ~~powers to accomplish the foregoing.~~

466 Section 6. Section 348.565, Florida Statutes, is amended to
467 read:

468 348.565 Revenue bonds for specified projects.—The existing
469 facilities that constitute the ~~Tampa Hillsborough County~~
470 expressway system are ~~hereby~~ approved to be refinanced by
471 revenue bonds issued by the Division of Bond Finance of the
472 State Board of Administration pursuant to s. 11(f), Art. VII of
473 the State Constitution and the State Bond Act or by revenue
474 bonds issued by the authority pursuant to s. 348.56(1)(b). In
475 addition, the capital projects that the authority is authorized
476 to acquire, construct, reconstruct, equip, operate, and maintain
477 under this part following projects of the Tampa Hillsborough
478 County Expressway Authority are approved to be financed or
479 refinanced by the issuance of revenue bonds in accordance with
480 this part and s. 11(f), Art. VII of the State Constitution:

481 ~~(1) Brandon area feeder roads.~~

482 ~~(2) Capital improvements to the expressway system,~~
483 ~~including safety and operational improvements and toll~~
484 ~~collection equipment.~~

485 ~~(3) Lee Roy Selmon Crosstown Expressway System widening,~~
486 ~~and any extensions thereof.~~

487 ~~(4) The connector highway linking the Lee Roy Selmon~~
488 ~~Crosstown Expressway to Interstate 4.~~

489 ~~(5) Capital projects that the authority is authorized to~~
490 ~~acquire, construct, reconstruct, equip, operate, and maintain~~
491 ~~pursuant to this part, including, without limitation, s.~~
492 ~~348.54(15), provided that any financing of such projects does~~
493 ~~not pledge the full faith and credit of the state.~~

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494 Section 7. Section 348.60, Florida Statutes, is amended to
495 read:

496 348.60 Lease-purchase agreements.—

497 (1) In order to effectuate the purposes of this part, the
498 authority may enter into lease-purchase agreements with a ~~the~~
499 city, a ~~the~~ county, or the state or any agency thereof,
500 including the department, and any federal agency relating to and
501 covering the expressway system or any portion thereof.

502 (2) Such lease-purchase agreements may provide for the
503 leasing of the expressway system or any portion thereof by the
504 authority as lessor to any one or more of the aforementioned
505 governmental entities or agencies as lessee, shall prescribe the
506 term of such lease and the rentals to be paid thereunder, and
507 may provide that upon the completion of the faithful performance
508 thereunder and the termination of such lease-purchase
509 agreements, title in fee simple absolute to the expressway
510 system, as then constituted, shall be transferred in accordance
511 with law by the authority to such lessee or otherwise as
512 provided in such agreements. In the event of such transfer to
513 the lessee, the authority shall deliver to such lessee such
514 deeds and conveyances as shall be necessary or convenient to
515 vest title in fee simple absolute in such lessee.

516 (3) The lease-purchase agreements may include such other
517 provisions, agreements, and covenants as the authority and the
518 lessee deem advisable or necessary, including, but not limited
519 to, provisions with respect to bonds; i ~~T~~ the construction,
520 reconstruction, extension, improvements, operation, repair, and
521 maintenance of the expressway system; i ~~T~~ the expenses and costs of
522 operation of the system and of the authority; i ~~T~~ the charging and

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523 collecting of tolls, rates, fees, and other charges for the use
524 of the services and facilities thereof; the application of
525 federal, state, or other grants or aid that ~~which~~ may be made or
526 given to assist the authority; the enforcement of payment and
527 collection of rentals; and any other terms, provisions, or
528 covenants necessary, incidental, or convenient to the making of
529 and full performance under such lease-purchase agreements.

530 (a) In the event the department is a lessee under any such
531 lease-purchase agreement, the department may ~~it is authorized to~~
532 pay as rentals thereunder in addition to the expressway system
533 revenues accruing thereto from the operation of the expressway
534 system, all or any portion of ~~the Hillsborough~~ county gasoline
535 tax funds and may also pay as rentals any appropriations
536 received by the department pursuant to any act of the
537 Legislature. ~~heretofore or hereafter enacted; provided,~~ However,
538 ~~that~~ nothing herein or ~~nor~~ in such lease-purchase agreement
539 requires ~~shall be construed to require~~ the Legislature to make
540 or continue such appropriations, and a ~~nor shall any~~ holder of
541 bonds does not ~~ever~~ have any right to require the Legislature to
542 make or continue such appropriations.

543 (b) In the event a ~~the~~ county is a lessee under any such
544 lease-purchase agreement, the county may ~~it shall be authorized~~
545 ~~to~~ pay as rentals thereunder in addition to the expressway
546 revenues accruing to the county from the operation of the
547 expressway system all or any part of the 20-percent surplus
548 gasoline tax funds accruing to the ~~Hillsborough~~ county.

549 (4) A ~~No~~ pledge of ~~either the 80-percent surplus gasoline~~
550 ~~tax funds or the 20-percent~~ surplus gasoline tax funds under any
551 such lease-purchase agreement may not ~~shall~~ be made without the

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552 consent of the county evidenced by a resolution duly adopted by
553 its board of county commissioners, which resolution may
554 authorize the execution and delivery of an interlocal agreement
555 between the authority and the county setting forth the terms and
556 provisions for the use by the authority of any such gasoline tax
557 funds ~~nor unless the revenues pledged under any such lease-~~
558 ~~purchase agreements are estimated by the authority to aggregate~~
559 ~~during the term of such lease-purchase agreements not less than~~
560 ~~the principal amount of the bonds secured thereunder plus~~
561 ~~interest thereon. Such resolution, among other things shall~~
562 ~~provide that any excess of such pledge of the Hillsborough~~
563 ~~County gasoline tax funds which is not required for debt service~~
564 ~~or reserves for such debt service for any bonds shall be~~
565 ~~returned annually to the appropriate board or agency for~~
566 ~~distribution to the county as provided by law; and shall~~
567 ~~provide, further, that any Hillsborough County gasoline tax~~
568 ~~funds actually expended for such debt service, shall be repaid~~
569 ~~with interest out of revenues and other available moneys not~~
570 ~~required to meet the authority's obligations to its bondholders,~~
571 ~~as determined by the authority.~~

572 (5) A ~~Any~~ lessee under any such lease-purchase agreement
573 may ~~agreements shall have power to~~ covenant therein that it will
574 pay all or any part of the cost of the operation, maintenance,
575 repair, renewal, and replacement of the expressway system, and
576 any part of the cost of completing such system, to the extent
577 that the proceeds of bonds issued therefor are insufficient,
578 from sources other than expressway system revenues and
579 ~~Hillsborough~~ county gasoline tax funds. ~~Any~~ Such lessee may also
580 agree to make such other payments from moneys available to a ~~the~~

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581 county, a ~~the~~ city, the authority, or the department in
582 connection with the construction or completion of the expressway
583 ~~such~~ system as ~~shall be~~ deemed by such lessee to be fair and
584 proper under any such covenants ~~heretofore or hereafter~~ entered
585 into.

586 (6) The expressway system shall be a part of the state road
587 system. The department may ~~is hereby authorized,~~ upon request of
588 the authority, ~~to~~ expend out of any funds available for the
589 purpose, ~~such moneys,~~ and to use such of its engineering or
590 other forces, as may be necessary and desirable in the judgment
591 of the department, ~~for the operation of the authority and for~~
592 traffic surveys, borings, surveys, preparation of plans and
593 specifications, estimates of costs, preliminary engineering, and
594 other studies.

595 Section 8. Section 348.61, Florida Statutes, is amended to
596 read:

597 348.61 Department may be appointed agent of authority for
598 construction.—The department may be appointed by the authority
599 as its agent for the purpose of constructing, reconstructing,
600 improving, extending, or repairing the expressway system. In
601 such event, the authority shall provide the department with
602 complete copies of all documents, agreements, resolutions,
603 contracts, and instruments relating thereto and shall request
604 the department to do such construction work, including the
605 planning, surveying, and actual construction involved, and shall
606 transfer to the credit of an account of the department in the
607 Treasury of the state the necessary funds therefor. The
608 department shall then ~~thereupon~~ be authorized, empowered, and
609 directed to proceed with such construction work and to use such

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610 ~~the said~~ funds for such purpose and in the same manner that it
611 is now authorized to use the funds otherwise authorized by law
612 for its use in construction of roads and bridges.

613 Section 9. Section 348.62, Florida Statutes, is amended to
614 read:

615 348.62 Acquisition of lands and property.—

616 (1) ~~For the purpose of this part,~~ The authority may acquire
617 private or public property and property rights, including rights
618 of access, air, view, and light, by gift, devise, purchase, or
619 condemnation by eminent domain proceedings, as the authority
620 deems ~~may deem~~ necessary for ~~any of~~ the purposes of this part,
621 including, but not limited to, any lands reasonably necessary
622 for securing applicable permits, areas necessary for management
623 of access, borrow pits, drainage ditches, water retention areas,
624 rest areas, and replacement access for landowners whose access
625 is impaired due to the construction of a transportation
626 facility. The right of eminent domain ~~herein~~ conferred in this
627 subsection shall be exercised by the authority in the manner
628 provided by law, in particular chapter 74.

629 (2) The authority may acquire such rights, title, interest,
630 or easements in such lands and property as it deems ~~may deem~~
631 necessary for ~~any of~~ the purposes of this part.

632 (3) In connection with the acquisition of property or
633 property rights as ~~herein~~ provided in this section, the
634 authority may, in its discretion, acquire an entire lot, block,
635 parcel, or tract of land, if by so doing the interest of the
636 public will be best served, even though such entire lot, block,
637 parcel, or tract is not immediately needed for the right-of-way
638 proper.

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639 Section 10. Sections 348.68 and 348.681, Florida Statutes,
640 are repealed.

641 Section 11. Section 348.70, Florida Statutes, is renumbered
642 as section 348.682, Florida Statutes, and amended to read:

643 348.682 ~~348.70~~ This part complete and additional
644 authority.—

645 (1) The powers conferred by this part are ~~shall be~~ in
646 addition and supplemental to the existing respective powers of
647 the authority, the department, a ~~the~~ county, and a ~~the~~ city, if
648 any, and this part does ~~shall~~ not repeal ~~be construed as~~
649 ~~repealing~~ any of the provisions of any other law, general,
650 special, or local, but supersedes ~~shall be deemed to supersede~~
651 such other law or laws in the exercise of the powers provided in
652 this part insofar as such other law or laws are inconsistent
653 with ~~the provisions of~~ this part and to provide a complete
654 method for the exercise of the powers granted in this part
655 ~~herein~~. The construction, reconstruction, improvement,
656 extension, repair, maintenance, and operation of the expressway
657 system, and the issuance of bonds under this part ~~hereunder~~ to
658 finance all or part of the cost thereof, may be accomplished
659 upon compliance with ~~the provisions of~~ this part without regard
660 to or necessity for compliance with the provisions, limitations,
661 or restrictions contained in any other general, special, or
662 local law, including, but not limited to, s. 215.821, and ~~no~~
663 approval of any bonds issued under this part by the qualified
664 electors or qualified electors who are freeholders in the state
665 or in a ~~the~~ county or ~~in the~~ city or in any other political
666 subdivision of the state is not ~~shall be~~ required for the
667 issuance of such bonds.

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668 (2) This part does not repeal, rescind, or modify any other
 669 law or laws relating to the State Board of Administration, the
 670 Department of Transportation, or the Division of Bond Finance of
 671 the State Board of Administration, but supersedes ~~shall~~
 672 ~~supersede~~ such other law or laws as are inconsistent with ~~the~~
 673 ~~provisions of~~ this part, including, but not limited to, s.
 674 215.821.

675 Section 12. Subsection (2) of section 343.975, Florida
 676 Statutes, is amended to read:

677 343.975 Complete and additional statutory authority.—

678 (2) This part does not repeal, rescind, or modify any other
 679 law relating to the State Board of Administration, the
 680 Department of Transportation, the West Florida ~~Tampa-~~
 681 ~~Hillsborough County~~ Expressway Authority, or the Division of
 682 Bond Finance within the State Board of Administration; however,
 683 this part supersedes such other laws as are inconsistent with
 684 its provisions, including, but not limited to, s. 215.821.

685 Section 13. Section 348.545, Florida Statutes, is amended
 686 to read:

687 348.545 Facility improvement; bond financing authority.—
 688 Pursuant to s. 11(f), Art. VII of the State Constitution, the
 689 Legislature ~~hereby~~ approves for bond financing by the West
 690 Florida ~~Tampa-Hillsborough County~~ Expressway Authority
 691 improvements to toll collection facilities, interchanges to the
 692 ~~legislatively approved~~ expressway system, and any other facility
 693 appurtenant, necessary, or incidental to the approved system.
 694 Subject to terms and conditions of applicable revenue bond
 695 resolutions and covenants, such costs may be financed in whole
 696 or in part by revenue bonds issued pursuant to s. 348.56(1)(a)

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697 or (b), whether currently issued or issued in the future, or by
698 a combination of such bonds.

699 Section 14. Section 348.56, Florida Statutes, is amended to
700 read:

701 348.56 Bonds of the authority.—

702 (1) (a) Bonds may be issued on behalf of the authority
703 pursuant to the State Bond Act.

704 (b) Alternatively, the authority may ~~shall have the power~~
705 ~~and is hereby authorized~~ from time to time ~~to~~ issue bonds in
706 such principal amount as, in the opinion of the authority, shall
707 be necessary to provide sufficient moneys for achieving its
708 corporate purposes, including construction, reconstruction,
709 improvement, extension, repair, maintenance, and operation of
710 the expressway system, the cost of acquisition of all real
711 property, interest on bonds during construction and for a
712 reasonable period thereafter, establishment of reserves to
713 secure bonds, and all other expenditures of the authority
714 incident to and necessary or convenient to carry out its
715 corporate purposes and powers.

716 (2) (a) Bonds issued by the authority pursuant to paragraph
717 (1) (a) or paragraph (1) (b) shall be authorized by resolution of
718 the members of the authority and shall bear such date or dates,
719 mature at such time or times, not exceeding 40 years from their
720 respective dates, bear interest at such rate or rates, not
721 exceeding the maximum rate fixed by general law for authorities,
722 be in such denominations, be in such form, either coupon or
723 fully registered, carry such registration, exchangeability, and
724 interchangeability privileges, be payable in such medium of
725 payment and at such place or places, be subject to such terms of

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726 redemption, and be entitled to such priorities of lien on the
727 revenues, other available moneys, and any ~~the Hillsborough~~
728 county gasoline tax funds as such resolution or any resolution
729 subsequent thereto may provide. The bonds shall be executed
730 ~~either~~ by manual or facsimile signature by such officers as the
731 authority determines ~~shall determine~~, provided that such bonds
732 shall bear at least one signature that ~~which~~ is manually
733 executed thereon. The coupons attached to such bonds shall bear
734 the facsimile signature or signatures of such officer or
735 officers as shall be designated by the authority. Such bonds
736 shall have the seal of the authority affixed, imprinted,
737 reproduced, or lithographed thereon.

738 (b) The bonds issued pursuant to paragraph (1)(a) or
739 paragraph (1)(b) shall be sold at public sale in the same manner
740 provided in the State Bond Act. However, if the authority
741 determines, by official action at a public meeting, that a
742 negotiated sale of such bonds is in the best interest of the
743 authority, the authority may negotiate the sale of such bonds
744 with the underwriter or underwriters designated by the authority
745 and the Division of Bond Finance within the State Board of
746 Administration with respect to bonds issued pursuant to
747 paragraph (1)(a) or solely by the authority with respect to
748 bonds issued pursuant to paragraph (1)(b). The authority's
749 determination to negotiate the sale of such bonds may be based,
750 in part, upon the written advice of the authority's financial
751 adviser. Pending the preparation of definitive bonds, temporary
752 bonds or interim certificates may be issued to the purchaser or
753 purchasers of such bonds and may contain such terms and
754 conditions as the authority determines ~~may determine~~.

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755 (3) Any such resolution or resolutions authorizing any
756 bonds may contain provisions that ~~which~~ shall be part of the
757 contract with the holders of such bonds, as to:

758 (a) The pledging of all or any part of the expressway
759 system revenues, the ~~Hillsborough~~ county gasoline tax funds, or
760 other moneys lawfully available therefor.

761 (b) The construction, reconstruction, improvement,
762 extension, repair, maintenance, operation, lease, or lease-
763 purchase of the expressway system, or any part or parts thereof,
764 and the duties and obligations of the authority and others,
765 including the department, with reference thereto.

766 (c) Limitations on the purposes to which the proceeds of
767 the bonds, then or thereafter to be issued, or of any loan or
768 grant by any federal agency or the state or any political
769 subdivision thereof may be applied.

770 (d) The fixing, charging, establishing, revising,
771 increasing, reducing, and collecting of tolls, rates, fees,
772 rentals, or other charges for use of the services and facilities
773 of the expressway system or any part thereof.

774 (e) The setting aside of reserves or of sinking funds and
775 the regulation and disposition thereof.

776 (f) Limitations on the issuance of additional bonds.

777 (g) The terms and provisions of any lease-purchase
778 agreement, deed of trust, or indenture securing the bonds, or
779 under which such bonds ~~same~~ may be issued.

780 (h) Any other or additional matters, of like or different
781 character, which in any way affect the security or protection of
782 the bonds.

783 (4) The authority may enter into any deeds of trust,

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784 indentures, or other agreements with any bank or trust company
785 within or without the state, as security for such bonds, and
786 may, under such agreements, assign and pledge all or any of the
787 expressway system revenues and other available moneys, including
788 all or any portion of any ~~the Hillsborough~~ county gasoline tax
789 funds, pursuant to the terms of this part. Such deed of trust,
790 indenture, or other agreement, may contain such provisions as
791 are customary in such instruments or as the authority may
792 authorize, including, but not limited to ~~without limitation~~,
793 provisions as to:

794 (a) The pledging of all or any part of the expressway
795 system revenues, any ~~the Hillsborough~~ county gasoline tax funds,
796 or other moneys lawfully available therefor.

797 (b) The application of funds and the safeguarding of funds
798 on hand or on deposit.

799 (c) The rights and remedies of the trustee and the holders
800 of the bonds.

801 (d) The terms and provisions of the bonds or the
802 resolutions authorizing the issuance of such bonds ~~the same~~.

803 (e) Any other or additional matters, of like or different
804 character, which in any way affect the security or protection of
805 the bonds.

806 (5) ~~Any of~~ The bonds issued pursuant to this part are, ~~and~~
807 ~~are hereby declared to be~~, negotiable instruments, and shall
808 have all the qualities and incidents of negotiable instruments
809 under the law merchant and the negotiable instruments law of the
810 state.

811 (6) It is the intention hereof that any pledge made by the
812 authority shall be valid and binding from the time when the

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813 pledge is made; that the moneys so pledged and thereafter
814 received by the authority shall immediately be subject to the
815 lien of such pledge without any physical delivery thereof or
816 further act, and that the lien of any such pledge shall be valid
817 and binding as against all parties having claims of any kind in
818 tort, contract, or otherwise against the authority, irrespective
819 of whether such parties have notice thereof. A ~~Neither the~~
820 resolution or ~~nor any~~ other instrument by which a pledge is
821 created is not required to ~~need~~ be recorded.

822 (7) A member or other ~~Neither the members nor any~~ person
823 executing the bonds is not ~~shall be~~ liable personally on the
824 bonds or ~~be~~ subject to any personal liability or accountability
825 by reason of the issuance thereof.

826 (8) The authority may, ~~shall have power~~ out of any funds
827 available therefor, ~~to~~ purchase bonds, which shall thereupon be
828 canceled, at a price not exceeding, if the bonds are then
829 redeemable, the redemption price then applicable plus accrued
830 interest to the next date of redemption thereof, or if the bonds
831 are not then redeemable, the redemption price applicable on the
832 first date after such purchase upon which the bonds become
833 subject to redemption plus accrued interest to such ~~said~~ date.

834 Section 15. Section 348.57, Florida Statutes, is amended to
835 read:

836 348.57 Refunding bonds.—

837 (1) Subject to public notice as provided in s. 348.54, the
838 authority may ~~is authorized to~~ provide by resolution for the
839 issuance from time to time of bonds pursuant to s. 348.56(1)(b)
840 for the purpose of refunding any bonds then outstanding
841 regardless of whether the bonds being refunded were issued by

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842 the authority pursuant to this chapter or on behalf of the
843 authority pursuant to the State Bond Act. The authority is
844 further authorized to provide by resolution for the issuance of
845 bonds for the combined purpose of:

846 (a) Paying the cost of constructing, reconstructing,
847 improving, extending, repairing, maintaining, and operating the
848 expressway system.

849 (b) Refunding bonds then outstanding. The authorization,
850 sale, and issuance of such obligations, the maturities and other
851 details thereof, the rights and remedies of the holders thereof,
852 and the rights, powers, privileges, duties, and obligations of
853 the authority with respect to such bonds ~~the same~~ shall be
854 governed by ~~the foregoing provisions of~~ this part insofar as ~~the~~
855 ~~same~~ may be applicable.

856 (2) In the event that the authority determines ~~shall~~
857 ~~determine~~ to issue bonds for the purpose of refunding any
858 outstanding bonds before ~~prior to~~ the maturity thereof, the
859 proceeds of such refunding bonds may, pending the redemption of
860 the bonds to be refunded, be invested in direct obligations of
861 the United States. It is the express intention of this part that
862 outstanding bonds may be refunded and retired by and upon the
863 issuance of bonds notwithstanding that all or a portion of such
864 outstanding bonds will not mature or become redeemable until
865 after the date of issuance of such refunding bonds.

866 Section 16. Section 348.58, Florida Statutes, is amended to
867 read:

868 348.58 Remedies.—

869 (1) The rights and ~~the remedies herein~~ conferred upon or
870 granted to the bondholders shall be in addition to and not in

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871 limitation of any rights and remedies lawfully granted to such
872 bondholders by the resolution or resolutions or indenture
873 providing for the issuance of bonds, or by any lease-purchase
874 agreement, deed of trust, indenture, or other agreement under
875 which the bonds may be issued or secured. In the event that the
876 authority defaults ~~shall default~~ in the payment of the principal
877 of or interest on any of the bonds issued pursuant to ~~the~~
878 ~~provisions of~~ this part after such principal of or interest on
879 the bonds has ~~shall have~~ become due, whether at maturity or upon
880 call for redemption, as provided in said resolution or
881 indenture, or in the event that the lessee defaults ~~shall~~
882 ~~default~~ in any payments under, or covenants made in, any lease-
883 purchase agreement and such default continues ~~shall continue~~ for
884 ~~a period of~~ 30 days, or in the event that the authority or the
885 lessee fails ~~shall fail~~ or refuses ~~refuse~~ to comply with ~~the~~
886 ~~provisions of~~ this part or any agreement made with, or for the
887 benefit of, the holders of the bonds, the holders of 25 percent
888 in aggregate principal amount of the bonds then outstanding
889 shall be entitled as of right to the appointment of a trustee to
890 represent such bondholders for the purposes hereof. ~~;~~ ~~provided,~~
891 ~~However, that~~ such holders of 25 percent in aggregate principal
892 amount of the bonds then outstanding must ~~shall have~~ first give
893 ~~given written notice of their intention to appoint a trustee,~~ to
894 the authority and to such lessee written notice of their
895 intention to appoint a trustee.

896 (2) Such trustee, and any trustee under any deed of trust,
897 indenture, or other agreement, may, and upon written request of
898 the holders of 25 percent, or such other percentages as may be
899 specified in any deed of trust, indenture, or other agreement

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900 ~~aforsaid~~, in principal amount of the bonds then outstanding,
901 shall, in any court of competent jurisdiction, in his, her, or
902 its own name:

903 (a) By mandamus or other suit, action, or proceeding at
904 law, or in equity, enforce all rights of the bondholders,
905 including the right to require the authority to fix, establish,
906 maintain, collect, and charge rates, fees, rentals, and other
907 charges, ~~adequate~~ to carry out any agreement as to, or pledge
908 of, the expressway system revenues, and to require the authority
909 to carry out any other covenants and agreements with or for the
910 benefit of the bondholders, and to perform its and their duties
911 under this part.

912 (b) By mandamus or other suit, action, or proceeding at
913 law, or in equity, enforce all rights of the bondholders under
914 or pursuant to any lease-purchase agreement, including the right
915 to require the lessee to make all rental payments required to be
916 made by it under ~~the provisions of~~ any such lease-purchase
917 agreement, whether from the ~~Hillsborough~~ county gasoline tax
918 funds or other funds so agreed to be paid and to require the
919 lessee to carry out any other covenants and agreements with or
920 for the benefit of the bondholders and to perform its and their
921 duties under this part.

922 (c) Bring suit upon the bonds.

923 (d) By action or suit in equity require the authority or
924 any lessee under any lease-purchase agreement to account as if
925 it were the trustee of an express trust for the bondholders.

926 (e) By action or suit in equity, enjoin any acts or things
927 that ~~which~~ may be unlawful or in violation of the rights of the
928 bondholders.

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929 (3) Any trustee when appointed ~~as aforesaid~~, or acting
930 under a deed of trust, indenture, or other agreement, and
931 regardless of whether ~~or not~~ all bonds have been declared due
932 and payable, shall be entitled as of right to the appointment of
933 a receiver, who may enter upon and take possession of the
934 expressway system or the facilities or any part or parts
935 thereof, the expressway system revenues, and other pledged
936 moneys and, subject to and in compliance with ~~the provisions of~~
937 any lease-purchase agreement, operate and maintain the same, ~~for~~
938 and on behalf of and in the name of, ~~the authority, the lessee,~~
939 and the bondholders, and collect and receive all expressway
940 system revenues and other pledged moneys in the same manner as
941 the authority or the lessee might do, and shall deposit all such
942 revenues and moneys in a separate account and apply the same in
943 such manner as the court directs ~~shall direct~~. In any suit,
944 action, or proceeding by the trustee, the fees, counsel fees,
945 and expenses of the trustee, and such ~~said~~ receiver, if any, and
946 all costs and disbursements allowed by the court shall be a
947 first charge on any expressway system revenues. Such trustee
948 shall, in addition to the foregoing, have and possess all of the
949 powers necessary or appropriate for the exercise of any
950 functions specifically set forth herein or incident to the
951 representation of the bondholders in the enforcement and
952 protection of their rights.

953 (4) ~~Nothing in~~ This section or any other section of this
954 part does not ~~shall~~ authorize any receiver appointed pursuant
955 hereto for the purpose, subject to and in compliance with ~~the~~
956 ~~provisions of~~ any lease-purchase agreement, of operating and
957 maintaining the expressway system or any facilities or part or

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958 parts thereof, to sell, assign, mortgage, or otherwise dispose
959 of any of the assets of whatever kind and character belonging to
960 the authority. It is the intention of this part to limit the
961 powers of such receiver, subject to and in compliance with ~~the~~
962 ~~provisions of~~ any lease-purchase agreement, to the operation and
963 maintenance of the system, or any facility or part or parts
964 thereof, as the court directs ~~may direct~~, in the name and for
965 and on behalf of the authority, the lessee, and the bondholders,
966 and a ~~no~~ holder of bonds or ~~nor~~ any trustee does not, ~~shall~~
967 ~~ever~~ have the right in any suit, action, or proceeding at law,
968 or in equity, to compel a receiver, nor shall any receiver be
969 authorized, or any court be empowered to direct the receiver, to
970 sell, assign, mortgage, or otherwise dispose of any assets of
971 whatever kind or character belonging to the authority.

972 Section 17. Section 348.59, Florida Statutes, is amended to
973 read:

974 348.59 Traffic control.—

975 (1) In addition to the powers conferred by the statutes of
976 the state and by city ~~the ordinances of the city~~, the authority
977 may adopt ~~is hereby authorized to promulgate~~ such rules and
978 regulations for the use and occupancy of the expressway system
979 as may be necessary and proper for the public safety and
980 convenience, for the preservation of its property, and for the
981 collection of tolls.

982 (2) The enforcement of the rules and regulations of the
983 authority and of those provisions of the statutes and ordinances
984 applicable to the expressway system may be by a ~~the~~ city police
985 department or ~~and~~ sheriff of a Hillsborough county within the
986 jurisdiction of which a transportation facility is located.†

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987 ~~provided,~~ However, ~~that~~ at the request of the authority, such
988 enforcement shall also be the duty of the Florida Highway
989 Patrol. Violators shall be apprehended and prosecuted in the
990 same manner as provided for the apprehension and prosecution of
991 violators of such statutes and ordinances who commit violations
992 thereof upon streets, roads, and thoroughfares in the state.

993 Section 18. Section 348.63, Florida Statutes, is amended to
994 read:

995 348.63 Cooperation with other units, boards, agencies, and
996 individuals.—Express authority and power is ~~hereby given and~~
997 granted to any county, municipality, drainage district, road and
998 bridge district, school district, or any other political
999 subdivision, board, authority, corporation, or individual in or
1000 of the state to make and enter into with the authority, ~~or~~
1001 contracts, leases, conveyances, or other agreements within the
1002 provisions and purposes of this part. The authority may ~~is~~
1003 ~~hereby expressly authorized to~~ make and enter into contracts,
1004 leases, conveyances, and other agreements with any political
1005 subdivision, agency, or instrumentality of the state and any and
1006 all federal agencies, corporations, and individuals for the
1007 purpose of carrying out the provisions of this part.

1008 Section 19. Section 348.64, Florida Statutes, is amended to
1009 read:

1010 348.64 Covenant of the state.—The state pledges ~~does hereby~~
1011 ~~pledge to~~ and agrees ~~agree~~ with the holders ~~from time to time~~ of
1012 the bonds that the state will not limit or alter the rights
1013 ~~hereby~~ vested in the authority, the department, a ~~the~~ county,
1014 and a ~~the~~ city to collect expressway system revenues, and
1015 ~~Hillsborough~~ county gasoline tax funds, and any other moneys and

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1016 to fulfill the terms of any agreements made with the holders of
1017 bonds or to in any way impair the rights and remedies of such
1018 holders until such bonds and the interest due thereon have been
1019 paid. The state ~~does~~ further pledges ~~pledge~~ to and agrees ~~agree~~
1020 with the United States and any federal agency that, in the event
1021 any federal agency constructs ~~shall construct~~ or contributes
1022 ~~contribute~~ funds for the construction, reconstruction,
1023 extension, or improvement of the expressway system or any part
1024 thereof, the state will not alter or limit the rights of the
1025 authority, the department, a the county, or a the city in any
1026 manner ~~which would be~~ inconsistent with the continued
1027 maintenance or operation of the system or the construction,
1028 reconstruction, extension, or improvement thereof and ~~which~~
1029 ~~would be~~ inconsistent with the due performance of any agreements
1030 between the authority and any such federal agency. The
1031 authority, the department, a the county, and a the city shall
1032 continue to have and may exercise all powers herein granted so
1033 long as such powers are ~~the same shall be~~ necessary or desirable
1034 for the carrying out of the purposes of this part.

1035 Section 20. Section 348.65, Florida Statutes, is amended to
1036 read:

1037 348.65 Exemption from taxation.—The effectuation of the
1038 authorized purposes of the authority created under this part ~~is~~
1039 ~~shall and will be~~ in all respects for the benefit of the people
1040 of the state for the increase of their commerce and prosperity
1041 and for the improvement of their health and living conditions.
1042 Since the authority will perform essential governmental
1043 functions in effectuating such purpose, the authority is ~~shall~~
1044 not ~~be~~ required to pay ~~any~~ taxes or assessments of any kind ~~or~~

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1045 ~~nature whatsoever~~ upon any property acquired or used by it for
1046 such purposes or upon any expressway system revenues at any time
1047 received by it. The bonds, their transfer, and the income
1048 therefrom, including any profits made on the sale thereof, are
1049 ~~shall at all times be~~ free from taxation of any kind by the
1050 state or by any political subdivision or other taxing agency or
1051 instrumentality thereof. The exemption granted by this section
1052 does not apply ~~shall not be applicable~~ to any tax imposed by
1053 chapter 220 on interest, income, or profits on debt obligations
1054 owned by corporations.

1055 Section 21. Section 348.67, Florida Statutes, is amended to
1056 read:

1057 348.67 Pledges enforceable for bondholders.—It is the
1058 intent ~~express intention~~ of this part that any pledge of
1059 expressway system revenues, ~~Hillsborough~~ county gasoline tax
1060 funds, or other funds either as rentals to the authority or for
1061 the payment of the principal of and interest on bonds, or any
1062 covenant or agreement relative thereto, ~~may~~ be enforceable in
1063 any court of competent jurisdiction against the authority or
1064 directly against the department, a the county, or a the city, as
1065 may be appropriate.

1066 Section 22. The Division of Law Revision is directed to
1067 replace the phrase "the effective date of this act" wherever it
1068 occurs in this act with the date the act becomes a law.

1069 Section 23. This act shall take effect upon becoming a law.